



Comptroller General
of the United States
Washington, D.C. 20548

Decision

Matter Of: Midwest Contracting, Inc.-Reconsideration

File No.: B-259281.2

Date: January 5, 1995

DECISION

Midwest Contracting, Inc. requests reconsideration of our decision of November 30, 1994, dismissing its protest of the rejection of its bid by the Department of the Navy under solicitation No. N68711-94-B-0884.

Midwest's original protest letter stated only that it was "formally protesting . . . the wrongful rejecting of the referenced bid . . . Please consider this to be our formal notice of protest." Midwest provided no further allegations or supporting documentation. Therefore, we dismissed the protest since it did not include sufficient factual information to establish the likelihood that the agency violated applicable procurement laws or regulations.

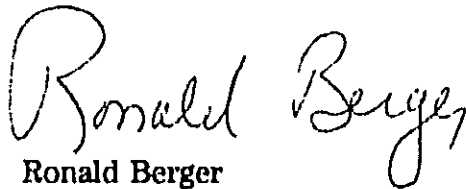
On reconsideration, Midwest contends that we should consider the protest on the merits and not on the fact that "this pro-se litigant was not fully aware of the requirements needed to file its original protest."¹ Midwest, for the first time on reconsideration, states a basis for its protest, that its bid allegedly was improperly rejected for failing to acknowledge an amendment.

A protester cannot for the first time on reconsideration raise issues or provide support for some general assertion made in its initial protest; we do not permit this type of piecemeal presentation of information. Moore Heating & Plumbing, Inc.-Second Recon., B-254024.3, Feb. 2, 1994, 94-1 CPD ¶ 65. As a matter of law, protesters are not excused from initially complying with the protest regulations, which require the submission of the sufficiently detailed statement of the grounds for protest. The regulations are published in the Federal Register and Code of Federal Regulations and protesters by law are charged with constructive notice of their contents. Domation, Inc., B-228221, Sept. 28, 1987, 87-2 CPD ¶ 311.

¹The protester states that at the time it filed its original protest, our Office sent to Midwest a copy of our Regulations and filing requirements.

Midwest's protest, with its basis of protest first presented in this request for reconsideration, is untimely. Midwest was aware of its basis for protest not later than November 8, when its original protest was filed; Midwest's reconsideration submission, filed on December 20, does not satisfy the requirement to file a protest within 10 working days of when the basis for protest was known. See 4 C.F.R. § 21.2(a)(2).

The request for reconsideration is denied.

A handwritten signature in cursive script that reads "Ronald Berger". The signature is written in dark ink and is positioned above the printed name and title.

Ronald Berger
Associate General Counsel